

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoshitaka MITSUI et al.

Serial No. 09/914,129

Filed August 23, 2001



: Confirmation No. 1763

: Docket No. 2001_1182A

: Group Art Unit 2655

: Examiner N. Z. HINDI

RECORDING APPARATUS, MEDIUM, AND
METHOD FOR RECORDING A DUPLICATE
OF A COPYRIGHTED DIGITAL PRODUCT
THAT HAS A COPY ATTRIBUTE EMBEDDED
AS A WATERMARK THEREON, AND
REPRODUCTION APPARATUS AND METHOD
FOR REPRODUCING THE DUPLICATE

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, **Yoshitaka MITSUI** and **Hideshi ISHIHARA** do hereby declare and state as follows:

1. We are both co-inventors of the above referenced application filed in the United States Patent and Trademark Office on August 23, 2001.
2. We understand that the Examiner has identified Fig. 3 of the above-identified application as being admitted prior art.
3. Contrary to the assertion of the Examiner, we submit that Fig. 3, and the disclosure in the specification associated therewith, is not prior art.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 5, 2004

Yoshitaka Mitsui

Yoshitaka Mitsui

Date: August 5, 2004

Hideshi Ishihara

Hideshi Ishihara